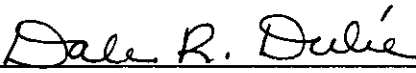


TAB A

CERTIFICATION PURSUANT TO DELAWARE LOCAL RULE 7.1.1

The undersigned attorney hereby certifies, pursuant to Delaware Local Rule 7.1.1, that movant Magten Asset Management Corporation has made reasonable efforts to reach agreement with opposing counsel on the matters set forth in the Motion to no avail. Evidence of impasse may be found in numerous of the communications between the parties with respect to the issues raised by the Motion, as detailed in the Motion and appended as exhibits to the Declaration of John Brewer, Esquire, filed concurrently herewith. The parties' impasse is further demonstrated by the email sent from Joseph D. Pizzurro, Esquire, counsel to NorthWestern Corporation, to counsel for Magten on April 10, 2007 at 7:02 p.m., a copy of which is attached hereto. By this email, NorthWestern's counsel has terminated further communications on discovery issues until Magten either returns or destroys thousands of pages of documents previously produced by NorthWestern that NorthWestern claims were inadvertently produced. NorthWestern's claims as to both the privilege and inadvertent production of those documents are disputed by Plaintiffs, and addressed in the accompanying Motion.



Dale R. Dubé (DE No. 2863)

Dube, Dale R.

From: Pizzurro, Joseph D. [jpizzurro@cm-p.com]
Sent: Tuesday, April 10, 2007 7:02 PM
To: Brewer, John W.; Delaney, Nancy E.; Bagnato, Jennifer A.
Cc: Steingart, Bonnie; Kaplan, Gary; Dube, Dale R.; jsnellings@nixonpeabody.com; counihanv@gtlaw.com; KIM Beatty; STAN Kaleczyc; DKraft@eapdlaw.com
Subject: RE: Letter on Another Discovery Issue

John,

We will not be responding to any of your additional requests until you are in compliance with your obligations under paragraph 8 of Judges Farnan's Stipulated Protective Order of March 21, 2007. We will be providing you with replacement disks of the affected document production and upon receipt please immediately return, or certify in writing that you have destroyed, the disks containing the inadvertently produced privileged information.

Joseph D. Pizzurro
Curtis, Mallet-Prevost, Colt & Mosle LLP
101 Park Avenue
New York, NY 10178
Tel: 212 696 6196
Fax: 212 697 1559
Email: jpizzurro@cm-p.com

-----Original Message-----

From: Brewer, John W. [mailto:BrewerJo@friedfrank.com]
Sent: Tuesday, April 10, 2007 5:31 PM
To: Pizzurro, Joseph D.; Delaney, Nancy E.; Bagnato, Jennifer A.
Cc: Steingart, Bonnie; Kaplan, Gary; dube@blankrome.com; jsnellings@nixonpeabody.com; counihanv@gtlaw.com; KIM Beatty; STAN Kaleczyc; DKraft@eapdlaw.com
Subject: Letter on Another Discovery Issue

Please see attached.

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Curtis, Mallet-Prevost, Colt & Mosle LLP (101 Park Avenue, New York, NY 10178)